

Amendment No. 2 to HB4219

**Fitzhugh
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 4213*

House Bill No. 4219

Reversion Increase 2007-2008

By deleting from Section 47, Item 2 in the printed bill the figure "\$785,000,000" and substituting instead the figure "\$750,000,000".

AND FURTHER AMEND in Section 43, of the printed bill by deleting Item 1 in its entirety and substituting instead the following:

Item 1. It is the legislative intent to recognize a base recurring over-appropriation of \$76,600,000 in the general fund in 2007-2008 and a non-recurring reversion of \$152,200,000 in 2007-2008.

It is further the legislative intent to recognize an additional reversion of \$221,200,000 in 2007-2008 from the unexpended balances of appropriations authorized to be carried-forward in a reserve at June 30, 2008, pursuant to Section 36 of this Act and from statutory reserve balances, pursuant to Senate Bill 4186 / House Bill 4149 becoming law.

It is the legislative intent to recognize a base recurring over-appropriation of \$100,000,000 and a TennCare reversion of \$20,000,000 in the general fund in 2008-2009.

Improvement Reductions

AND FURTHER AMEND by deleting in their entirety Items 14 and 20 in Section 1, Title III-22 of the printed bill, and substituting instead the following:

14. Salary Plan – Base Appropriation	145,400.00
20. Group Health Insurance Premium – 1/1/09	11,300.000.00

and by deleting the following:

TOTAL TITLE III-22	\$ 138,847,500.00
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and by substituting instead the following:

TOTAL TITLE III-22	\$ 99,247,500.00
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AND FURTHER AMEND by deleting in their entirety Items 1, 2 and 4 in Section 49, of the printed bill and by renumbering Item 3 as Item 1.

AND FURTHER AMEND the printed bill by adding the following Section between Sections 57 and 58 of the printed bill and by renumbering Sections accordingly:

SECTION _____. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting improvement appropriations and positions that had been recommended in the 2008-2009 Budget Document, and the Commissioner of Finance and Administration shall adjust federal and other departmental revenue estimates accordingly:

Item 1. The appropriations in Section 1, Title III-10, Higher Education, hereby are reduced in the amount of \$23,215,800 for the purpose of deleting a 2 percent salary increase for higher education employees.

Item 2. The appropriation in Section 1, Title III-9, Education – BEP and Other LEA Support, reduced by the following amounts:

- a) \$5,500,000 for group health insurance;
- b) \$86,500,000 for BEP 2.0 improvement;
- c) \$27,800,000 for full-funding of BEP formula;
- d) \$6,700,000 for BEP Growth Fund.

Item 3. The appropriation in Section 1, Title III-9, Education – Early Childhood Education, reduced by \$22,000,000 for the Pre-K program. It is the legislative intent that the remaining improvement of \$3,000,000 is for inflationary costs of the base program.

Item 4. In Section 1, Title III-9, Item 2.1f., Education – Grants-In-Aid, reduced by \$1,000,000 (non-recurring) for the Save the Children literacy grant.

Item 5. In Section 1, Title III-9, Item 2.1f., Education - Grants-In-Aid, reduced by \$1,000,000 (non-recurring). Grants of \$500,000 each to the Future Farmers of America and to the 4-H Foundation shall be earmarked from the appropriation in Section 1, Title III-3, Item 3, Agriculture for Agricultural Enhancement Fund.

Item 6. In Section 1, Title III-9, Item 1.3, Education – Governor’s Books from Birth Fund, reduced by \$500,000 for grants.

Item 7. In Section 1, Title III-10, Item 3.3a., UT Health Science Center, reduced by \$3,000,000 (non-recurring) for the regional biocontainment laboratory.

Item 8. In Section 1, Title III-10, Tennessee Student Assistance Awards, the appropriation is increased \$1,000,000 from the \$200 million scholarship endowment fund created pursuant to Senate Bill 4197 / House Bill 4212.

Item 9. In Section 1, Title III-10, Lottery for Education Account, reduced by \$18,000,000 for need-based student financial aid. In Section 4, Title III-10, Tennessee Student Assistance Awards, reduced by \$18,000,000.

Item 10. In Section 1, Title III-10, U.T. Health Science Center, reduced by \$1,000,000 for the Tennessee Mouse Genome Consortium.

Item 11. In Section 1, Title III-1, Item 3, Secretary of State, reduced by \$300,000 (non-recurring) for the integrated library information management system.

Item 12. In Section 1, Title III-1, Item 5, Comptroller of the Treasury, reduced by \$40,500. It is the legislative intent that from the appropriations made in Section 1, Title III-1, Item 5, the sum of \$40,500 be earmarked to fund the additional position recommended in the Budget for the Ombudsman office.

Item 13. In Section 1, Title III-2, Item 3.4, Finance and Administration – Criminal Justice Programs, reduced \$400,000 (non-recurring) for grants to combat internet crimes against children.

Item 14. In Section 1, Title III-26, TennCare Program, reduced by \$585,800 for Children’s Services improvements for a residential provider rate increase. The Department of Children’s Services departmental revenue estimate shall be reduced accordingly.

Item 15. In Section 1, Title III-3, Item 4, Agriculture – Forestry Operations, reduced by \$4,822,000 (non-recurring) for fire-fighting communications equipment.

Item 16. In Section 1, Title III-4, Item 1, Tourist Development, reduced by \$1,000,000 (non-recurring) for the advertising campaign.

Item 17. In Section 1, Title III-5, Item 31, Environment and Conservation – Tennessee Heritage Conservation Trust Fund, reduced by \$10,000,000 (non-recurring) for land purchases and conservation.

Item 18. In Section 1, Title III-3, Item 8, Agriculture – Agricultural Resources Conservation Fund, reduced by \$2,250,000 for the allocation of the real estate transfer tax.

Item 19. In Section 1, Title III-5, Item 27, Environment and Conservation – Local Parks Acquisition Fund, reduced by \$2,624,400 for the allocation of the real estate transfer tax.

Item 20. In Section 1, Title III-5, Item 28, Environment and Conservation – State Lands Acquisition Fund, reduced by \$2,250,000 for the allocation of the real estate transfer tax.

Item 21. In Section 1, Title III-6, Item 4, Wildlife Resources – Wetlands Acquisition Fund, reduced by \$4,875,600 for the allocation of the real estate transfer tax.

Item 22. In Section 1, Title III-5, Item 6, Environment and Conservation – Tennessee State Parks, reduced by \$333,200 and three (3) positions for the Bicentennial Mall.

Item 23. In Section 1, Title III-5, Item 16, Environment and Conservation – Water Pollution Control, reduced by \$1,750,000 (non-recurring) including \$1,500,000 for a watershed restoration fund and \$250,000 for an impact study on the New River watershed.

Item 24. In Section 1, Title III-5, Item 20, Environment and Conservation – Water Supply, reduced by \$2,000,000 (non-recurring) for water resources management and planning.

Item 25. In Section 1, Title III-8, Item 4, Economic and Community Development – FastTrack Infrastructure and Job Training Assistance, reduced by \$10,000,000 (non-recurring) for grants.

Item 26. In Section 1, Title III-8, Item 2, Economic and Community Development – Business Development, reduced by \$1,250,000 (non-recurring) for a grant to the Rural Opportunity Fund.

Item 27. In Section 1, Title III-15, Item 2, Military – Army National Guard, reduced by \$1,200,000 and sixty-four (64) positions for the National Guard Youth Challenge program.

Item 28. In Section 1, Title III-15, Item 4, Military – TEMA, reduced by \$201,400 and four (4) positions for the statewide communications interoperability program.

Item 29. In Section 1, Title III-16, Item 3.5, Health – Community and Medical Services, reduced by \$940,000 for the medical examiners program. From the appropriation in the cited Item, an amount of \$60,000 is appropriated to implement Senate Bill 4201 / House Bill 4200, if the bill becomes law.

Item 30. In Section 1, Title III-16, Item 3.5, Health – Community and Medical Services, reduced by \$5,000,000 (non-recurring) for the comprehensive tobacco-cessation program.

Item 31. In Section 1, Title III-16, Item 3.1, Health – Health Services Administration, reduced \$6,000,000 (non-recurring). There is hereby appropriated \$6,000,000 from the TennCare Reserve for primary care clinics.

Item 32. In Section 1, Title III-17, Item 3.1, Human Services – Community Services, reduced by \$100,000 (non-recurring) for the individual development accounts program.

Item 33. In Section 1, Title III-20, Safety, reduced by \$2,786,500 and seventy-five (75) positions to delete funding for driver's license administrative revocation legislation (Senate Bill 4196 / House Bill 4213).

Item 34. In Section 1, Title III-20, Item 2, Safety – Driver License Issuance reduced by \$6,500,000 (non-recurring) and in Section 4, Title III-20, Item 2, Safety, reduced by \$10,000,000 to meet the requirements of the federal REAL ID Act.

Item 35. In Section 1, Title III-23, Item 5, Children's Services – Child and Family Management, reduced by \$283,000 (non-recurring) for the 211 program grant.

Item 36. In Section 1, Title III-23, Item 3, Children's Services – Custody Services reduced by \$1,386,000 for a residential provider rate increase.

AND FURTHER AMEND by deleting in its entirety Item 1 in Section 11 of the printed bill and substituting instead the following:

Item 1. The appropriation made in Section 1, Title III-9, Item 2.1c, for the Basic Education Program (BEP), shall be administered pursuant to the provisions of the Education Improvement Act (Public Chapter No. 535 of the Public Acts of 1992) and Public Chapter No. 369 of the Public Acts of 2007. The BEP formula shall be calculated for the fiscal year using the following criteria:

- a) The state shall provide seventy percent (70%) of the funds generated for the instructional positions component;
- b) The dollar value of the BEP instructional positions component shall be thirty-eight thousand dollars (\$38,000);
- c) The formula shall provide one hundred percent (100%) funding for at-risk students in grades K-12;
- d) The formula shall provide funding for English language learners at a ratio of one to thirty (1:30) and one to three hundred (1:300) for teachers to students and translators to students, respectively;
- e) Each local education agency (LEA) shall receive no less than a twenty-five percent (25%) state share in the non-classroom components;
- f) The cost differential factor shall be applied at a level of fifty percent (50%); and
- g) Local fiscal capacity shall be calculated by applying a weight of fifty percent (50%) of the current multiple regression analysis model and fifty percent (50%) of the model based on local jurisdictions' ability to raise revenue for education from local option sales tax and property tax as provided in Public Chapter 369 of 2007.

AND FURTHER AMEND in Section 11 of the printed bill by inserting a new paragraph at the end of Item 2:

“The Local Education Insurance Committee shall recognize the annualized rate and benefits adjustments intended to be effective on January 1, 2009, which are required so that the plan of benefits, on an annualized basis, shall not exceed the recurring amount appropriated to the Department of Education.”

AND FURTHER AMEND in Section 17 of the printed bill by inserting a new paragraph at the end of Item 1:

“The State Insurance Committee shall recognize the annualized rate and benefits adjustments intended to be effective on January 1, 2009, which are required so that the plan of benefits, on an annualized basis, shall not exceed the recurring revenues to pay plan expenses.”

AND FURTHER AMEND by deleting Section 52, Item 3, in its entirety and substituting instead the following:

Item 3. Appropriations of \$9,000,000 in Section 1, Title III-10, Item 1.3, and of \$1,000,000 elsewhere in this act to the Tennessee Student Assistance Awards (TSAA) program are from the TSAA fund created pursuant to Senate Bill 4197/ House Bill 4212, or a similar bill, if such bill creates a similar fund and the bill becomes law. If the bill does not become law, or a TSAA fund is not created, the cited appropriations, totaling \$10,000,000, are from current net education lottery proceeds.

AND FURTHER AMEND in Section 7 of the printed bill by inserting a new Item to read:

Item _____. From the appropriations in Section 1 of this act, there is hereby appropriated \$18,000,000 from the real estate transfer tax, to be allocated to the following programs, as authorized by Tennessee Code Annotated, Section 67-4-409:

- | | |
|---|--------------|
| a) To the 1986 Wetland Acquisition Fund | \$ 7,313,100 |
| b) To the Local Parks Land Acquisition Fund | \$ 3,936,900 |
| c) To the State Lands Acquisition Fund | \$ 3,375,000 |

d) To the Agricultural Resources Conservation Fund \$ 3,375,000

This Item is subject to the provisions of Senate Bill No. 4173 / House Bill No. 4129 amending Tennessee Code Annotated, Section 67-4-409 and allowing a general fund allocation from the real estate transfer tax becoming law.

AND FURTHER AMEND by deleting in their entirety Items 18 and 20 in Section 7 of the printed bill and by renumbering the remaining Items.

AND FURTHER AMEND by deleting in its entirety Item 4 in Section 52 of the printed bill.

AND FURTHER AMEND by deleting in their entirety Items 32.1, 33 and 36 in Section 1, Title III-22, of the printed bill; and by renumbering all Items after Item 31 accordingly; and by deleting the following as previously amended:

TOTAL TITLE III-22	\$99,247,500.00
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and by substituting instead the following:

TOTAL TITLE III-22	\$90,602,500.00
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Capital Outlay

AND FURTHER AMEND by deleting in their entirety the line-Item and total appropriations in Section 1, Title III-32 of the printed bill and substituting instead the following:

- | | |
|--|-----------------|
| 1. Department of Education | \$ 2,160,000.00 |
| 2. Department of Environment and Conservation | 1,775,000.00 |
| 3. Department of Finance and Administration | 2,000,000.00 |
| 4. Department of Finance and Administration – Mental Retardation | 11,400,000.00 |
| 5. Department of Military | 1,400,000.00 |
| 6. Tennessee Board of Regents | 9,230,000.00 |
| 7. University of Tennessee | 6,744,000.00 |
| 8. Department of Finance and Administration – Statewide Capital | |

Maintenance

17,491,000.00

Total Title III-32

\$52,200,000.00

AND FURTHER AMEND in Section 1, Title III-32 of the printed bill by deleting from the next to last sentence and before the period the language:

"and/or to the Native American Indian Association, a not-for-profit organization located in Davidson County, for an American Indian Cultural Center".

AND FURTHER AMEND in Section 2, Item 11 (c) of the printed bill by deleting the figure "\$22,555,800" and substituting instead the figure "\$25,555,800".

AND FURTHER AMEND in Section 2 of the printed bill by adding the following new Item:

Item _____. In addition to the appropriations for capital outlay in Section 1, Title III-32 and in Section 2, Item 11 of this act, there is hereby reappropriated to the Department of Correction for statewide maintenance (a) the sum of \$4,900,000 from Correction's capital outlay residual funds; and (b) the sum of \$10,000,000 from statewide maintenance residual funds.

AND FURTHER AMEND the printed bill by adding the following section between Sections 57 and 58 of the printed bill, but following the new Sections above:

Base Reductions

SECTION _____. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of reducing base appropriations and positions that had been recommended in the 2008-2009 Budget Document, and the Commissioner of Finance and Administration shall adjust federal and other departmental revenue estimates accordingly.

Item 1. From the appropriations in Section 1 and Section 4 of this act, but excluding the appropriations in Titles I, II, III-1 and III-10 in each section, it is the legislative intent to reduce appropriations in an amount equivalent to a net reduction in recurring state general fund revenue requirements of \$64,400,000.

There is hereby appropriated a sum sufficient from reserves to achieve the savings required by a voluntary separation plan to be developed by the Commissioner of Finance and Administration and the Commissioner of Human Resources, in coordination with other appropriate departments and agencies, pursuant to their statutory authority.

Benefits included in this voluntary separation plan may include, but not be limited to, the following:

(1) a base payment plus an amount based on years of service and capped at an amount to be determined;

(2) extended health insurance benefits for a period of months to be determined, or a cash option to buy into COBRA health coverage, or a cash option equivalent to the extended health insurance benefit; and

(3) college tuition assistance for 2 years to be capped at the average of the highest four-year public Tennessee college undergraduate level; provided, however, that such assistance shall only be provided for periods of actual attendance within a period of time to be determined by the Commissioner of Finance and Administration.

Subject to approval of the Commissioner of Finance and Administration and only to the extent permitted by law, department and agency heads are authorized to reorganize department and agency programs to achieve the annualized savings required by this section. The Commissioner of Finance and Administration is authorized to transfer appropriations and positions between the organizational units of a department or agency to effect such internal reorganizations and to adjust federal and other departmental revenues accordingly.

The Commissioner of Finance and Administration and the Commissioner of Human Resources shall submit a copy of the voluntary separation plan to the Speaker of the Senate,

Speaker of the House of Representatives, and Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives.

Item 2. In Section 1, Title III-9, Item 2.1b, Education – Career Ladder, reduced by \$4,519,200.

Item 3. In Section 1, Title III-9, Item 2.1f, Education – Grants-In-Aid, reduced by \$500,000 for public television grants and reduced by \$250,000 for the Science Alliance grants.

Item 4. In Section 1, Title III-9, Education, reduced in the following amounts for grants:

- a) \$210,000 for One-room Drop-in School;
- b) \$129,700 for Tennessee School Board Association;
- c) \$100,100 for Governor's Study Partners Program; and
- d) \$ 20,000 for Miss Tennessee grant.

Item 5. In Section 1, Title III-10, Higher Education, reduced by \$55,800,000. It is the legislative intent that the Tennessee Higher Education Commission (THEC) prepare a schedule allocating each reduction among such institutions and programs.

Item 6. In Section 1, Title III-2, Item 2.10, Tennessee Housing Development Agency, reduced by \$350,000.

Item 7. In Section 1, Title III-2, Item 3, Finance and Administration, reduced by \$200,000 for the Criminal Justice Coordinating Council.

Item 8. In Section 1, Title III-2, Item 3, Finance and Administration, reduced by \$75,000 for the Ujima House grant.

Item 9. In Section 1, Title III-26, TennCare, reduced by \$80,000,000 to delay part of the medically needy expansion.

Item 10. In Section 1, Title III-26, TennCare, reduced by \$100,000 for CPORT grant to Children's Services.

Item 11. In Section 1, the general fund share of savings resulting from abolishment of the State Publications Committee established by Tennessee Code Annotated, Section 12-7-101, if the commission is abolished by law. The appropriation of departmental

revenue to the Department of General Services is reduced by \$160,300, if Senate Bill No. 2639 / House Bill No. 2637 becomes law. The Commissioner of Finance and Administration is authorized to reduce appropriations in Section 1 accordingly.

Item 12. In Section 1, Title III-2, Item 5, General Services – Purchasing, reduced by \$22,000.

Item 13. In Section 1, Title III-24, Board of Probation and Parole, it is the legislative intent that the appropriation in the amount of \$3,125,900 for GPS offender tracking be non-recurring.

Item 14. In Section 1, Title III-3, Agriculture, reduced by \$5,000,000 for the Agricultural Enhancement program. This reduction is from the general fund source.

Item 15. In Section 1, Title III-3, Agriculture, reduced \$3,889,500 for boll weevil eradication. It is the legislative intent that an appropriation in the amount of \$3,889,500 for boll weevil eradication be earmarked from the appropriation for the Agricultural Enhancement Fund.

Item 16. In Section 1, Title III-5, Environment and Conservation, reduced by \$350,000 for the Youth Conservation Corps.

Item 17. In Section 1, Title III-7, Correction – Sex Offender Treatment Program, reduced by \$50,000. This reduction is from the general fund source.

Item 18. In Section 1, Title III-7, Correction – Brushy Mountain Correctional Complex, it is the legislative intent that the appropriation in the amount of \$8,734,500 is non-recurring.

Item 19. In Section 1, Title III-7, Correction – State Prosecutions, reduced by \$800,000 and to be replaced by court cost revenue.

Item 20. In Section 1, Title III-16, Health reduced by the following amounts:

- a) \$424,000 for dental health clinical services;
- b) \$162,800 for nutrition services education and public information;
- and
- c) \$190,000 for Men's Health Awareness Network.

Item 21. In Section 1, Title III-20, Safety, reduced by \$1,000,000 (non-recurring) for highway patrol equipment.

Item 22. In Section 1, Title III-23, Children's Services, reduced by the following amounts:

a) \$294,700 for adoption support services and \$300,000 for foster and kinship home studies, and

b) \$862,900 for CPORT (Children's Program Outcome Review Team). The Commissioner of Finance and Administration shall reduce the departmental revenue estimate in the Commission on Children and Youth by \$1,462,900 and reduce authorized full-time positions of the commission by seventeen (17).

AND FURTHER AMEND by deleting in its entirety Item 17 in Section 7 of the printed bill and by renumbering the remaining Items.

AND FURTHER AMEND by deleting in its entirety Item 16 in Section 1, Title III-22, of the printed bill; and by renumbering all Items after Item 15 accordingly; and by deleting the following as previously amended:

TOTAL TITLE III-22	\$ 90,602,500.00
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and by substituting instead the following:

TOTAL TITLE III-22	\$ 88,295,800.00
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AND FURTHER AMEND the printed bill by adding the following new sections between Sections 57 and 58 of the printed bill, but following the new sections above:

Supplemental Appropriations

SECTION _____. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There hereby is appropriated the following amounts in the fiscal year

ending June 30, 2008, which shall be in addition to the appropriations made in Public Acts of 2007, Chapter 603; and the Commissioner of Finance and Administration is authorized to allot and transfer these appropriations to the appropriate expenditure account within each department, agency, or branch of government and to adjust authorized positions and federal aid and other departmental revenues accordingly:

Item 1. To Miscellaneous Appropriations, the sum of \$500,000 (non-recurring) for expenses of the presidential primary.

Item 2. To the TennCare Program from the TennCare reserve the sum of \$1,800,000 (non-recurring) to fund a provider rate adjustment for Mental Retardation programs.

Item 3. To Mental Health and Developmental Disabilities, the sum of \$2,400,000 (non-recurring) for the mental health institutes to provide for care of residents with mental retardation disabilities.

Additions to Budget

SECTION _____. In addition to the appropriations in Section 1 of this act, except as otherwise provided herein, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues and authorized positions accordingly:

Item 1. To the Department of Economic and Community Development, a sum sufficient contingency appropriation not to exceed \$100,000,000, for the sole purpose to provide funding for infrastructure and training costs associated with certain FastTrack project grants. Said appropriations shall be contingent on the size and economic impact of the FastTrack project or projects and shall be subject to approval of the Commissioner of Finance and Administration.

No expenditure of an appropriation made pursuant to this Item shall occur until written notice of the appropriation is submitted by the Commissioner of Finance and Administration to

the Speaker of the Senate and the Speaker of the House of Representatives and until said Speakers have acknowledged in writing receipt of such written notice.

Item 2. To Higher Education, Lottery for Education Account, in Section 1, Title III-10, Item 5.1, the additional sum of \$1,800,000, relative to lottery scholarship retention at GPA 2.75, if Senate Bill 4211 / House Bill 4210 becomes law.

Item 3. To the University of Memphis the sum of \$27,300 to support the West Tennessee Seismic Safety Commission.

Item 4. To the Department of Education the sum of \$2,000,000 (non-recurring) for K-4 math teachers professional development to be granted to Tennessee State University for such programs at historically black colleges and universities in Tennessee.

Item 5. To the Arts Commission the sum of \$517,200 from dedicated revenue for the following purposes:

- a) \$45,000 to host the National Assembly of State Arts Agencies meeting in Chattanooga;
- b) \$200,000 to match the federal grant for Value Plus Schools;
- c) \$86,100 to fund the student ticket subsidy program;
- d) \$86,100 to fund the arts build communities program;
- e) \$100,000 (non-recurring) to fund space improvements.

Item 6. There is hereby appropriated to the TennCare program, the sum of \$5,000,000 from the TennCare reserve for the sole purpose of providing nursing home diversification grants.

Item 7. To the Department of Agriculture the sum of \$286,800 (non-recurring) to replace timber salvage revenue that reverted to the general fund balance at June 30, 2007.

Item 8. To the Department of Correction the sum of \$8,219,000 to fund health contract services.

Item 9. To the Department of Economic and Community Development, FastTrack Infrastructure and Job Training Assistance program, the sum of \$3,000,000.

Item 10. To the Department of Commerce and Insurance the sum of \$120,000 to fund the firefighters pay supplement.

Item 11. To the Department of Military the sum of \$5,900,000 (non-recurring) to fund TEMA disaster relief grants.

Item 12. To the Department of Human Services the sum of \$550,000 (non-recurring) in the Child Support program for Shelby County Juvenile Court. The unexpended balance of the appropriation in Section 12, Item 79, Public Chapter 603 of 2007 shall not revert to the general fund at June 30, 2008.

Item 13. To the Cover Tennessee Health Care Programs the sum of \$11,238,100 to correct a budget reduction error.

Item 14. To the Miscellaneous Appropriations the sum of \$250,000 (non-recurring) for the sole purpose of making a grant to Belmont University to support the Town Hall Presidential Debate on October 7, 2008.

Item 15. To the Emergency and Contingency Fund the sum of \$750,000 (non-recurring).

Item 16. To the Department of Finance and Administration for capital outlay purposes in the following amounts (non-recurring) to provide for February 2008 storm damage:

- a) \$1,250,000 for the Wynnewood state historic site in Castalian Springs; and
- b) \$500,000 for radio tower damage in the Department of Safety.

Item 17. To the Department of Finance and Administration – Mental Retardation the sum of \$3,300,000 (recurring) to provide for debt service on bonds for the construction of ICF-MR group homes in the Arlington area if bonds are authorized in Senate Bill 4215 / House Bill 4218, as amended, for such purpose and if such bill becomes law. Any unexpended funds for this purpose may be transferred to the State Funding Board and the Board is directed to cancel bonds in said amount.

Item 18. The Commissioner of Finance and Administration is authorized to approve an adjustment in rates charged by General Services, Motor Vehicle Management, and

to reallocate state appropriations between departments and agencies and to adjust federal aid and other departmental revenue accordingly.

Item 19. In addition to the appropriation in Section 1, Title III-30, Item 5.5, State Highway Construction, there is appropriated the sum of \$138,000,000 to the Department of Transportation for the construction of State Route 840. This appropriation is subject to Senate Bill 4268 / House Bill 4267, a bond authorization in the amount of \$138,000,000, becoming law.

AND FURTHER AMEND by deleting in its entirety Item 27.1 in Section 1, Title III-22, of the printed bill and substituting instead the following:

27.1 Rent Adjustments	1,500,900.00
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and by deleting the following as previously amended:

TOTAL TITLE III-22	\$ 88,295,800.00
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and by substituting instead the following:

TOTAL TITLE III-22	\$ 88,433,200.00
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AND FURTHER AMEND the printed bill by adding the following sections between Sections 57 and 58 of the printed bill, but following the new sections above:

New Legislation – Administration Bills

SECTION _____. In addition to the appropriations in Section 1 of this act, except as otherwise provided herein, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues and authorized positions accordingly. The appropriation in each Item is subject to the bill cited in that Item becoming a law.

Item 1. To the Department of Safety, \$3,600 for Senate Bill 2907 / House Bill 2901, relative to issuance of a temporary driver's license or a photo identification license. It is the legislative intent to recognize an increase of \$30,500 in driver's license revenue.

Item 2. To the Tennessee Veterans Home Board a sum sufficient estimated to be \$5,500 is earmarked from the board's revenue, for Senate Bill 3919 / House Bill 3795, relative to an increase in the number of board members.

Item 3. To the Department of Children's Services, the sum of \$17,000 is earmarked for Senate Bill 4143 / House Bill 4099, relative to the Interstate Compact for Juveniles.

Item 4. To the Department of Correction, Sentencing Act of 1985, \$6,900 for the incarceration cost of Senate Bill 4150 / House Bill 4106, relative to a probation and parole officer having sexual contact with a probationer or parolee.

Item 5. To the Board of Probation and Parole, for Senate Bill 4151 / House Bill 4107, relative to collection of unpaid supervision fees, it is the legislative intent to recognize an increase of \$315,100 in supervision fees collected by the board.

Item 6. To the Department of Commerce and Insurance, Regulatory Boards, for Senate Bill 4172 / House Bill 4128, relative to conversion of certain regulatory licenses from annual to biennial renewal, it is the legislative intent to recognize a decrease in state appropriation in the amount of \$3,600 funded by dedicated revenues.

Item 7. To the Department of Revenue, the sum of \$80,000 (non-recurring), for Senate Bill 4173 / House Bill 4129, relative to the technical corrections tax bill.

Item 8. To the Department of Mental Health and Developmental Disabilities, \$158,800 for Senate Bill 4183 / House Bill 4146, relative to medication administration. It is the legislative intent to recognize a loss of \$158,800 in departmental revenue.

Item 9. To the Department of Revenue, \$30,400 (non-recurring) and to the Tennessee Bureau of Investigation, \$520,300 from dedicated revenue and three (3) full-time positions for Senate Bill 4184 / House Bill 4147, relative to creating the TBI Drug Chemistry Unit Testing Fund.

Item 10. To the Department of Correction, Sentencing Act of 1985, \$6,900 for the incarceration cost of Senate Bill 4188 / House Bill 4151, relative to making false statements or representations to the TennCare program.

Item 11. To the Department of Correction, Sentencing Act of 1985, \$410,000 for the incarceration cost of Senate Bill 4199 / House Bill 4197, relative to sex offender registry information. It is the legislative intent to recognize dedicated revenue of \$412,500 and an appropriation of \$273,700 to the Tennessee Bureau of Investigation.

Item 12. To the Department of Correction, Sentencing Act of 1985, \$3,400 for the incarceration cost of Senate Bill 4203 / House Bill 4203, relative to the Tennessee Insurance Producer Licensing Act.

Item 13. To the Secretary of State, \$20,000 (non-recurring) for House Joint Resolution 1022, to print notice of the proposed constitutional amendment relative to the powers and duties of the governor during a temporary disability.

Reallocations

Home and Community Based Services

SECTION____. It is the legislative intent to recognize the need to restructure the long term care delivery system in the State of Tennessee. From the reallocated and additional appropriations in this section, there is hereby appropriated a sum sufficient to implement Senate Bill No. 4181 / House Bill No. 4144, the Long Term Community Choices Act of 2008, subject to the bill becoming law. The Commissioner of Finance and Administration is authorized to allocate and transfer funds, as provided in this section, to the appropriate organizational units and to adjust departmental revenues accordingly.

Item 1. The appropriation in Section 1, Title III-26, Item 3, Waiver and Crossover Services, is reduced by \$4,601,600.

Item 2. In addition to the appropriation in Section 1, Title III-2, Item 2.2, Commission on Aging and Disability, there is hereby appropriated the sum of \$3,892,800 for the Options program to provide home-delivered meals, personal care services, homemaker services, case management, and information and referral.

Item 3. In addition to the appropriation in Section 1, Title III-2, Item 2.2, Commission on Aging and Disability, there is hereby appropriated the sum of \$80,000 for a pilot

project on self-directed care or to fund the implementation of Senate Bill No. 1157 / House Bill No. 941, relative to self-directed care, if such bill becomes law. If the bill does not become law the provisions of sub-Items (a), (b), and (c) shall apply to the pilot project:

a) The Commission on Aging and Disability shall develop a pilot project in a county or counties of one of the area agencies on aging and disability (AAAD) and shall enter into a contract with the selected AAAD in order to implement the project. The project shall utilize the services of an aging and disability resource center located in the AAAD. Subject to any approvals required from the commission by the contract, a working group from the selected AAAD shall design the project and determine whether to use a program manager in the project. In selecting the AAAD the commission shall consider any administrative and oversight efficiencies that locating the project in any particular AAAD might afford the project.

b) The project shall offer families with a member with a disability who requires long-term supports and services and individuals with a disability who require long-term supports and services opportunities to direct their own services. The families and individuals shall exercise choice, control and responsibility for their services within a cost neutral framework.

c) The project may involve the following: (1) personal control and choice; (2) encouragement of cost-effective decision-making in the purchase of supports and services; (3) allowing eligible families and individuals to receive a cash allowance or an individual budget to obtain personal assistant services and related supports; and (4) providing fiscal agent and supportive broker services to sustain individuals and families in directing their own services.

Item 4. In addition to the appropriation in Section 1, Title III-16, Item 2.1, Bureau of Health Licensure and Regulation, there is hereby appropriated the sum of \$435,800 for Senate Bill No. 3150 / House Bill No. 3332, relative to residential homes for the aged, if such bill becomes law.

Item 5. In addition to the appropriation in Section 1, Title 1, Item 1, Legislature, there is hereby appropriated the sum of \$193,000 for Senate Bill No. 4181 / House Bill No. 4144, for the Long-Term Care Oversight Committee, if such bill becomes law.

Targeted Case Management

SECTION _____. It is the legislative intent to recognize loss of federal funding pursuant to the promulgation of final rules (72 FR 68077) by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services regarding Targeted Case Management Services, and to authorize the Commissioner of Finance and Administration to make reductions, transfers, and reallocations as provided in this section. The Commissioner of Finance and Administration is further authorized to abolish positions as necessary and to adjust departmental revenues accordingly. Pursuant to Senate Bill 2220 / House Bill 2279 becoming law, position abolishments shall be in accordance with the provisions of the act.

Item 1. The appropriation in Section 1, Title III-26, Item 2, TennCare Services, is reduced by \$39,419,200.

Item 2. In addition to the appropriations in Section 1, Title III-23, there is hereby appropriated the sum of \$39,419,200 to the Department of Children's Services for case management. The Commissioner of Finance and Administration is authorized to allocate and transfer funds to the appropriate organizational units.

Item 3. From the appropriations made in this act for the Department of Children's Services in Section 1, Title III-23, the Commissioner of Finance and Administration is authorized to reallocate and transfer funds and to adjust departmental revenues accordingly.

Reserve-Taking

SECTION _____. This section shall take effect upon becoming a law, the public welfare requiring it. It is the legislative intent to fulfill the essential function and constitutional responsibility of state government to orderly close fiscal years 2007-2008 and 2008-2009. Under the provisions of Senate Bill 4186 / House Bill 4149, if such bill becomes a law, and

notwithstanding any provision of this act to the contrary, the Commissioner of Finance and Administration is authorized to deny carryforwards for and to transfer funds from the following enumerated funds, reserve accounts, or programs to the state general fund for the sole purpose of meeting the requirements of funding state government for the fiscal years ending June 30, 2008, and June 30, 2009, according to the following schedule; and for that purpose such funds hereby are appropriated to the general fund:

Item 1. From the following funds, to the extent available in the reserve for unencumbered balance and from additional unexpended balances:

(a) Department of Safety handgun permit fees, \$5,541,800; TBI handgun permit fees, \$1,223,900; and, in both cases, any additional unexpended balances; and

(b) Tennessee Advisory Commission on Intergovernmental Relations reserve; Probation and Parole GPS tracking system; Correction Department information systems; Miscellaneous Appropriations for LAN consolidation and for case management and tracking system (CMATS); Human Rights Commission operational reserve; Department of Finance and Administration for sexual assault program, domestic assault defendant fines, and safe neighborhoods act of 1998; Department of Human Resources leadership development initiative; Board of Probation and Parole community corrections program; Department of Agriculture, Regulatory Services, for farm improvement, and Market Development, for farm improvement; Historical Commission for projects; Department of Economic and Community Development for film and television incentive fund; Department of Education for coordinated school health, Safe Schools Act of 1998, and early intervention services; Department of Mental Health and Developmental Disabilities for health care safety net; Department of Military for tuition assistance; Department of Health, Health Services Administration for health care safety net; Communicable and Environmental Disease Services for health care safety net; Miscellaneous Appropriations for performance-based budgeting; and Department of Children's Services for needs assessment.

Item 2. From general fund statutory reserves, to the extent available: Court System, divorcing parent mediation and judicial information system; Public Defenders, indigent defense fund; Health Services and Development Agency; Department of Finance and Administration for the Department of Revenue title and registration system, an amount not to exceed \$10,000,000 in addition to \$10,000,000 appropriated for REAL ID drivers license system, provided, however, that, if \$10,000,000 is not appropriated elsewhere in this act from this source for REAL ID, an amount not to exceed \$20,000,000 may be transferred to the general fund pursuant to this section; Probation and Parole Board supervision and rehabilitation fees; Labor and Workforce Development, employment security special administrative fund, TOSHA reserve, and uninsured employers fund; TBI, handgun purchase background checks, expungement fees, and intoxicant testing fund; Department of Commerce and Insurance, insurance fees and the unexpended balance of fees at June 30, 2008.

From Department of Financial Institutions, bank fees, amounts to be determined at June 30, 2008, and June 30, 2009.

Item 3. From special revenue fund statutory reserves, to the extent available: Department of Environment and Conservation, used oil collection program; hazardous waste remedial action fund; underground storage tanks; environmental protection fund; Department of Correction, sex offender treatment fund.

Item 4. Notwithstanding the provisions of other sections of this act to the contrary, from other reserves enumerated in this act, an amount or amounts to be determined, subject to approval of the controlling state officials.

Item 5. From the other funds, reserve accounts, and programs enumerated in the bill cited in this section and from other reserves for unencumbered balance and capital outlay, an amount equivalent to a pro-rata share, unless otherwise determined by the Commissioner of Finance and Administration not to be in the best interest of the agency program, shall be transferred to the general fund for the remaining need to meet the requirements of funding the operations of state government for the fiscal years ending June 30, 2008, and June 30, 2009. Pro-rata shares shall be determined by the Commissioner of Finance

and Administration by comparing the uncommitted balances of each such enumerated fund, reserve account, or program with the total remaining need for closing the fiscal year.

Item 6. From the TennCare reserve, to the extent that the reserves enumerated above do not satisfy the remaining need, an amount to be determined by the Commissioner of Finance and Administration.

Item 7. From the reserve for revenue fluctuations established by Tennessee Code Annotated, Section 9-4-211, and from the amount reserved for deposit to the fund at June 30, 2008, to the extent that the reserves enumerated above do not satisfy the remaining need.

SECTION _____. Other provisions of this act to the contrary notwithstanding, the general assembly recognizes that extraordinary actions by the Commissioner of Finance and Administration may be required to achieve the overappropriation level provided herein, to manage the base budget reductions reflected in this act, and to fulfill the constitutional duty of state government to orderly close fiscal year 2008-2009. It, therefore, is the legislative intent that the Commissioner of Finance and Administration be authorized to defer and reduce expenditures and otherwise effect savings of funds appropriated herein; provided, however, that the authority granted by this section shall be exercised only insofar as permitted by law and in accordance with applicable law.

Other Amendments

AND FURTHER AMEND in Section 6, of the printed bill by inserting the following new appropriately numbered Items:

Item _____. The provisions of this Item shall take effect upon becoming a law, the public welfare requiring it. Chapter 958, Public Acts of 2004, authorized bonds in the amount of \$80,000,000 to pre-finance interstate highway construction projects. Interstate highway projects in the amount of \$80,000,000 have been converted to federal financing. The State Funding Board shall take the necessary action to cancel the unissued bonds in the amount of \$80,000,000.

Item _____. The provisions of this Item shall take effect upon becoming law, the public welfare requiring it. Chapter 501, Public Acts of 2005, authorized bonds in the amount of \$80,000,000 to pre-finance interstate highway construction projects. Interstate highway projects in the amount of \$30,000,000 have been converted to federal financing. The State Funding Board shall take the necessary action to cancel the unissued bonds in the amount of \$30,000,000.

To the extent that additional interstate highway projects are converted to federal financing, the State Funding Board shall take the necessary action to cancel the unissued bonds in an amount equal to the conversion to federal financing.

AND FURTHER AMEND in Section 9 of the printed bill by inserting the following new appropriately numbered Items:

Item _____. To the Department of Commerce and Insurance, Division of Securities, from the revenues and reserves of the Securities Enforcement and Legal Training reserve.

AND FURTHER AMEND in Section 12, Item 2 of the printed bill, by inserting in the fourth line of the Item after the words "Medicaid/TennCare program" the punctuation and words ", including Medicare Crossover payments,".

AND FURTHER AMEND in Section 15, of the printed bill by renumbering Item 8. as a new Item 17. and by inserting a new Item 8. to read:

Item 8. The Commissioner of Finance and Administration shall maintain a policy to recover state funds and the state's costs associated with checks, warrants, drafts, and electronic funds transfers deposited to a state account that are subsequently returned unpaid by the drawer's bank.

AND FURTHER AMEND in the printed bill in Section 2, Item 2, by deleting from the second sentence the semicolon and all language after the semicolon and substituting instead a period (.).

and in Section 23 of the printed bill by deleting from the next-to-last sentence all language of the next-to-last sentence after the semicolon and substituting instead the following:

provided, however, that capital outlay program projects, whether capital improvements or capital maintenance, shall be submitted to the State Building Commission to be acknowledged.

and in Section 23 of the printed bill by adding the following paragraphs at the end of the section:

It is the legislative intent that funding for all capital improvement projects and funding for each capital maintenance project of one million dollars (\$1,000,000) or more shall be specified in detail in the annual budget document and listed by affected spending agency. Funding for each capital maintenance project of less than one million dollars (\$1,000,000) shall be specified in such detail in the annual budget document as the governor shall determine. The commissioner of finance and administration shall provide a written quarterly report to the director of the office of legislative budget analysis and to the executive director of the fiscal review committee identifying additions, deletions or other modifications of capital improvement and capital maintenance projects occurring subsequent to enactment of the annual budget through the appropriations and bond authorization acts.

It is further the legislative intent that appropriations for capital improvement and capital maintenance projects shall be specified by state agency in lump sums consistent with capital improvement and maintenance projects detailed in the annual budget document.

AND FURTHER AMEND in Section 23 of the printed bill by inserting the following as a new paragraph at the end of the section:

The Commissioner of Finance and Administration shall report to the chairmen of the Senate and House Finance, Ways and Means committees on positions funded by federal criminal justice grants that are time-limited. The report shall include the number of positions and costs by federal program and by state agency and program, the period of the grant, the outlook for federal continuation of the grant beyond the expiration date, and any conditions of the grant indicating a state obligation upon expiration of the grant. A copy of the report also shall be provided to the Office of Legislative Budget Analysis director and the Fiscal Review Committee executive director.

AND FURTHER AMEND in Section 29, Item 21, of the printed bill by inserting a new paragraph to read:

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-117 through A-119 in the 2008-2009 Budget Document:

East Tennessee State University

Burgin Dossett Parking Lot Reconfiguration	\$ 430,000
Recreation Fields Upgrades	750,000
Welcome Center	1,000,000
Yoakley Hall Renovation	1,220,000
Buc Ridge Apartment Renovation	<u>10,100,000</u>
	\$ 13,500,000

Middle Tennessee State University

Academic Buildings Update	\$ 2,000,000
College Heights Renovation	500,000
Davis Science and Wiser Patton Renovations	5,000,000
Food Service Facility Improvements	4,000,000
McFarland Building Renovation	600,000
Tucker Theatre Seat Replacement & ADA Update	950,000

Warehouse Office Configuration	<u>175,000</u>
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	\$ 13,225,000
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Tennessee State University

Logistics Complex Renovations	\$ 2,490,000
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Watson Hall Lounge Addition	110,000
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IT Infrastructure Update (Federal Funds)	<u>1,300,000</u>
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	\$ 3,900,000
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Tennessee Technological University

Athletic Facilities Renovations	\$ 350,000
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Food Service Improvements	3,300,000
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Parking Additions and Improvements	<u>1,000,000</u>
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	\$ 4,650,000
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University of Memphis

Administration IT Support Space Upgrade	\$ 475,000
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Dunn Hall Building Upgrades	200,000
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Fieldhouse HVAC Maintenance	200,000
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Theater Seating and Carpet Replacement	200,000
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Wilder Tower Mechanical & Interior Upgrades	150,000
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Patterson Facility Upgrades	<u>450,000</u>
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	\$ 1,675,000
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Chattanooga State Technical Community College

Tennis Courts and Gym Upgrades	\$ 600,000
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Cleveland State Community College

Baseball Concessions Project	\$ 65,000
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Business Incubator	<u>1,250,000</u>
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	\$ 1,315,000
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Pellissippi State Technical Community College

McWherter Building UPS/Generator System	\$ 305,000
Land Acquisition - Parking	<u>1,270,000</u>
	\$ 1,575,000
<u>TTC Paris</u>	
Collision Repair Paint Booth	\$ 90,000
Total	\$ <u>40,530,000</u>

The East Tennessee State University project, New Residence Hall, listed on page A-117, in the amount of \$26,600,000, is deleted from the list of projects.

The East Tennessee State University project, Parking Garage, listed on page A-117, is increased from \$15,800,000 to \$21,500,000.

The Chattanooga State Technical Community College project, Athletic Fields Upgrade, listed on page A-118, is increased from \$1,500,000 to \$2,500,000.

AND FURTHER AMEND in Section 29 of the printed bill by inserting a new Item:

Item _____. The Tennessee Higher Education Commission staff is directed to work with the Tennessee Student Assistance Corporation staff, and other appropriate state entities, to achieve cost savings resulting from a consolidation of administrative functions and other measures. This shall include, but not be limited to benefits to be derived from consolidation of divisions and activities within each agency. THEC staff shall submit a status report with recommendations to the Governor and speakers of the House and Senate by January 12, 2009.

AND FURTHER AMEND in Section 36, Item 36 of the printed bill by deleting the words and figure "in the amount of \$500,000" and substituting instead the words and figure "in an amount not to exceed \$2,000,000".

AND FURTHER AMEND in Section 36, of the printed bill, by inserting the following new appropriately numbered Items:

Item _____. To the Appellate and Trial Courts in Section 1, Title II, Item 1, in the non-recurring amount of \$2,000,000 for courtroom security purposes.

Item _____. To the Secretary of State, Charitable Solicitations and Charitable Gaming, in Section 1, Title III-1, Item 3.8 and in Section 4, Title III-1, Item 3.7. The unexpended balances of state appropriation and departmental revenue are hereby reappropriated to fund a charitable solicitations systems development project.

Item _____. To the Department of Finance and Administration, Criminal Justice Programs, in Section 12, Item 7, in the amount of \$100,000 to designate five adult day care centers or senior centers as model programs worthy of emulation pursuant to Chapter 573, Public Acts of 2007.

Item _____. To the Department of Finance and Administration, Criminal Justice Programs, in Section 59, Item 11, in the amount of \$150,000 (non-recurring) for the Internet Crimes Against Children Task Force.

Item _____. To the Department of Finance and Administration, Criminal Justice Programs, in Section 59, Item 12, in the amount of \$250,000 (non-recurring) for the internet predators awareness program.

Item _____. To the Department of Finance and Administration, Governor's Office of State Planning and Policy, in Section 1, Title III-2, Item 3.10, in the non-recurring amount of \$2,000,000 for procurement of specialized professional assistance or research.

Item _____. To the Board of Probation and Parole in Section 36, Item 51 and in Section 57, Items 18(a) and (c) of Chapter 963, Public Acts of 2006, in the amount of \$425,100 (non-recurring) for the purchase of supplies for safety improvements.

Item _____. To the State Board of Education, in Section 12, Item 54, in the amount of \$200,000 for the sole purpose of facilitating program development in accordance with Chapter 459, Public Acts of 2007.

Item _____. To the Department of Military in Section 1, Title III-15, Item 4, the unexpended balance of the nonrecurring appropriation of \$378,900 for Earthquake Preparedness.

Item _____. To the Department of Health, Community and Medical Services, in Section 1, Title III-16, Item 3.5, as amended in Section 60, Item 12 and in Section 71, in the amount of \$10,000,000 for a comprehensive tobacco-use prevention and cessation initiative.

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and substituting the following as a new Section 39:

SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2007- 2008</u>	<u>2008- 2009</u>
Finance and Administration, Bureau of TennCare		
1. TennCare Services	\$ 1,262,800	\$ 1,750,600
Tennessee Wildlife Resources Agency		
1. Wetlands Acquisition Fund	1,000,000	0
Education (K-12)		
1. Improving School Programs	530,600	0
2. Special Education Services	0	190,000
3. Alvin C. York Institute	3,600	0
4. Tennessee School for the Blind	3,600	0
5. Tennessee School for the Deaf	3,600	0
6. West Tennessee School for the Deaf	3,600	0
Total Education (K-12)	545,000	190,000
Mental Health and Developmental Disabilities		
1. Administrative Services Division	9,000	9,000

2.	Community Mental Health Services	491,000	491,000
	Total Mental Health and Developmental Disabilities	500,000	500,000
	Health		
1.	Women, Infants, and Children (WIC)	23,390,500	23,390,500
2.	Local Health Services	3,470,400	3,470,400
	Total Health	26,860,900	26,860,900
	GRAND TOTAL	\$ 30,168,700	\$ 29,301,500

At June 30, 2008, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2008.

AND FURTHER AMEND in Section 41, Item 1, (1)(d), of the printed bill by deleting the figure “\$120,000” and substituting instead the figure “\$130,000”.

AND FURTHER AMEND in Section 41 of the printed bill by inserting the following new appropriately number Items:

Item _____. The grant made to the Tennessee Sports Hall of Fame (Hall) within Section 12, Item 20 of Chapter 603 of the Public Acts of 2007 shall be matched on a dollar for dollar basis by private donations, provided that the private donations received and the state funds matched shall be restricted to use for the improvement of museum exhibits and equipment and the acquisition of additional artifacts for the museum. Donations used to match state funds and the state matching funds shall not be used to supplement general operations of the museum, it being the legislative intent to promote physical improvements at the museum.

Item _____. From the appropriations made in Section 1, Title III-25, to the Department of Finance and Administration – Mental Retardation, the Commissioner of Finance and Administration is authorized to transfer \$86,700 from Mental Retardation Administration, including one position, and \$7,168,700 from Community Mental Retardation Services to the Department of Education, and to adjust departmental revenues accordingly. The

Commissioner of Finance and Administration is authorized to adjust such sums to consolidate the system implementing early intervention services within the Department of Education.

Item _____. From the appropriations to the Department of Commerce and Insurance in Section 1, Title III-11 of Chapter 603, Public Acts of 2007, the Commissioner of Finance and Administration is authorized to make a sum sufficient appropriation transfer to the Fire Service and Codes Enforcement Academy.

Item _____. In the fiscal year ending June 30, 2009, there is hereby appropriated the sum of \$62,800 from dedicated revenues and \$62,800 from departmental revenues to the Department of Financial Institutions to support post-secondary and adult education financial literacy programs. This Item is subject to approval of the Commissioner of Finance and Administration.

Item _____. The appropriations made in Section 12, Item 28 of Public Chapter 963 of 2006 and in Section 12, Item 23 of Public Chapter 603 of 2007 are hereby reappropriated to the Ned McWherter Center for Rural Development to be used solely for support of the operations and programs of the Center.

Item _____. In the fiscal year ending June 30, 2009, from the appropriations made to the Department of Transportation in Section 1, Title III-30 and in Section 4, Title III-27, the Commissioner of Finance and Administration is authorized to approve reorganizations and to adjust authorized positions, federal aid, and other departmental revenue for the purpose of implementing the Enterprise Resource Planning system.

Item _____. It is the legislative intent that the appropriation in Section 1, Title III-22, in the amount of \$500,000 to Fisk University to match grants may be made available in the fiscal year ending June 30, 2008.

AND FURTHER AMEND in Section 48 of the printed bill by inserting the following new appropriately numbered Items:

Item _____. In the fiscal year ending June 30, 2009, there is hereby appropriated to the TennCare program from the TennCare reserve the sum of \$11,000,000 to provide funding

for mental health infrastructure for the integrated MCO/BHO model in East and West Tennessee.

Item _____. In the fiscal year ending June 30, 2009, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient, not to exceed \$10,100,000, from the TennCare reserve to the Division of Mental Retardation Services for systems development purposes.

AND FURTHER AMEND in Section 52 of the printed bill by deleting in Item 1 the citation "Senate Bill No. ____ / House Bill No. ____" and substituting instead the citation "Senate Bill No. 611 / House Bill No. 653 or Senate Bill No. 4211 / House Bill No. 4210".

AND FURTHER AMEND the printed bill by adding the following sections between Sections 57 and 58 of the printed bill and by renumbering sections accordingly:

SECTION _____. In addition to the appropriations in Section 1 of this act, except as otherwise provided herein, the following amounts are appropriated for implementation of legislation, subject to the specified bill becoming a law, and the Commissioner of Finance and Administration may allocate these appropriations to the appropriate organizational units and adjust federal and other departmental revenues and authorized positions accordingly.

Item 1. To the Alcoholic Beverage Commission, a sum sufficient for Senate Bill No. 3930 / House Bill No. 3861 which requires the Alcoholic Beverage Commission to deposit as general fund revenue rather than departmental revenue any fine collected from a person whose license or permit was revoked or suspended. The appropriation of departmental revenue in Section 4, Title III-2, Item 1.3 shall be reduced in an equivalent amount.

Item 2. To the Foreign Language Institute, the appropriation in Section 1, Title III-10, Item 1.6, for Senate Bill No. 3954 / House Bill No. 3911, relative to the administration of the Foreign Language Institute. It is further the legislative intent that any unexpended balance of fees are hereby reappropriated in the 2008-2009 fiscal year and shall be carried forward in a reserve into the fiscal year beginning July 1, 2008.

Item 3. To the Secretary of State, a sum sufficient from the Help America Vote Act reserve, for Senate Bill No. 1363 / House Bill No. 1256 relative to paper ballots, if such bill becomes law.

AND FURTHER AMEND by requesting the appropriate Engrossing Clerk to delete the underlined explanatory headings in this amendment.

AND FURTHER AMEND by deleting Item 5 of the first unnumbered Section under the heading "Improvement Reductions" above which provides:

Item 5. In Section 1, Title III-9, Item 2.1f., Education - Grants-In-Aid, reduced by \$1,000,000 (non-recurring). Grants of \$500,000 each to the Future Farmers of America and to the 4-H Foundation shall be earmarked from the appropriation in Section 1, Title III-3, Item 3, Agriculture for Agricultural Enhancement Fund.

and by substituting instead the following:

Item 5. In Section 1, Title III-9, Item 2.1f., Education - Grants-In-Aid, reduced by \$1,000,000 (non-recurring) for grants of \$500,000 each to the Future Farmers of America and to the 4-H Foundation.

AND FURTHER AMEND by deleting Item 15 of the first unnumbered Section under the heading "Base Reductions" above which provides:

Item 15. In Section 1, Title III-3, Agriculture, reduced \$3,889,500 for boll weevil eradication. It is the legislative intent that an appropriation in the amount of \$3,889,500 for boll weevil eradication be earmarked from the appropriation for the Agricultural Enhancement Fund.

and by substituting instead the following:

Item 15. In Section 1, Title III-3, Agriculture, reduced \$3,889,500 for boll weevil eradication.

AND FURTHER AMEND by deleting the following language under the heading "Improvement Reductions" above:

Item _____. From the appropriations in Section 1 of this act, there is hereby appropriated \$18,000,000 from the real estate transfer tax, to be allocated to the following programs, as authorized by Tennessee Code Annotated, Section 67-4-409:

- a) To the 1986 Wetland Acquisition Fund \$ 7,313,100
- b) To the Local Parks Land Acquisition Fund \$ 3,936,900
- c) To the State Lands Acquisition Fund \$ 3,375,000
- d) To the Agricultural Resources Conservation Fund \$ 3,375,000

This Item is subject to the provisions of Senate Bill No. 4173 / House Bill No. 4129 amending Tennessee Code Annotated, Section 67-4-409 and allowing a general fund allocation from the real estate transfer tax becoming law.

and by substituting instead the following:

Item _____. From the appropriations in Section 1 of this act, there is hereby appropriated \$6,075,000 from the real estate transfer tax, to be allocated to the following programs, as authorized by Tennessee Code Annotated, Section 67-4-409:

- a) To the 1986 Wetland Acquisition Fund \$6,000,000
- of which \$400,000 shall be used for payments in lieu of taxes; and
- b) To the State Lands Acquisition Fund \$ 75,000
- all of which shall be used for payments in lieu of taxes.

This Item is subject to the provisions of Senate Bill No. 4173 / House Bill No. 4129 amending Tennessee Code Annotated, Section 67-4-409 and allowing a general fund allocation from the real estate transfer tax becoming law.

AND FURTHER AMEND by deleting the following language in Item 1 of the first unnumbered Section under the heading "Base Reductions" above:

Subject to approval of the Commissioner of Finance and Administration and only to the extent permitted by law, department and agency heads are authorized to reorganize department and agency programs to achieve the annualized savings required

by this section. The Commissioner of Finance and Administration is authorized to transfer appropriations and positions between the organizational units of a department or agency to effect such internal reorganizations and to adjust federal and other departmental revenues accordingly.

and substituting instead the following:

Subject to approval of the Commissioner of Finance and Administration and only to the extent permitted by law, department and agency heads are authorized to reorganize department and agency programs to achieve the annualized savings required by this section; provided that no state office located in a non-Metropolitan Statistical Area shall be permanently, or temporarily, closed or relocated without submission of a plan for reorganization to the Chairs of the Senate and House Finance Committees. The Commissioner of Finance and Administration is authorized to transfer appropriations and positions between the organizational units of a department or agency to effect such internal reorganizations and to adjust federal and other departmental revenues accordingly.

AND FURTHER AMEND by deleting the following language from the second unnumbered Section under the heading "Reserve-Taking" above:

It, therefore, is the legislative intent that the Commissioner of Finance and Administration be authorized to defer and reduce expenditures and otherwise effect savings of funds appropriated herein; provided, however, that the authority granted by this section shall be exercised only insofar as permitted by law and in accordance with applicable law.

and by substituting instead the following:

It, therefore, is the legislative intent that the Commissioner of Finance and Administration be authorized to defer and reduce expenditures and otherwise effect savings of funds appropriated herein; provided, however, that the authority granted by this section shall be exercised only insofar as permitted by law and in accordance with applicable law and in accordance with the provisions of Section

24 and provided further that the authority granted by this section shall not extend to appropriations made under Section 1, Titles I and II herein.

AND FURTHER AMEND by deleting Item 13 of the first unnumbered Section under the heading "New Legislation - Administration Bills" above which provides:

Item 13. To the Secretary of State, \$20,000 (non-recurring) for House Joint Resolution 1022, to print notice of the proposed constitutional amendment relative to the powers and duties of the governor during a temporary disability.

AND FURTHER AMEND by deleting Item 16 of the first unnumbered Section under the heading "Additions to Budget" above which provides:

Item 16. To the Department of Finance and Administration for capital outlay purposes in the following amounts (non-recurring) to provide for February 2008 storm damage:

a) \$1,250,000 for the Wynnewood state historic site in Castalian Springs;

and

b) \$500,000 for radio tower damage in the Department of Safety.

AND FURTHER AMEND by adding the following language as a new Section:

SECTION __. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. Appropriations made to the Department of Health are reduced by:

(a) \$686,800 for Nurse Triage; and

(b) \$90,000 for Strike Out Stroke.

The commissioner of finance and administration is authorized to make necessary adjustments to effectuate the provisions of this Section.

AND FURTHER AMEND by adding the following paragraph to the end of Item 1 of the first unnumbered section under the heading "Base Reductions" above:

To the extent that employee reductions are required after implementation of the voluntary separation plan as provided by this act, it is the legislative intent that no reduction in force or layoff notices shall be distributed prior to January 1, 2009;

AND FURTHER AMEND by deleting the following language immediately preceding Item 1 of the first unnumbered section under the heading "Reserve-Taking" above:

and for that purpose such funds hereby are appropriated to the general fund:

and by substituting instead the following:

and for that purpose such funds hereby are appropriated to the general fund; provided however that a sum sufficient not to exceed \$100,000,000 shall not be transferred from such funds to the general fund until written notice is provided, as required elsewhere in this act, relative to the contingency appropriation not to exceed \$100,000,000 for certain FastTrack projects; provided, further, that the sequence specified in this section may be repeated, to the extent necessary, in order to accomplish the purpose set forth herein; and provided, further, that the Commissioner of Finance and Administration shall provide written notice of transfers pursuant to this section to the chairmen of the senate and house finance, ways and means committees at least three business days before any such transfer:

AND FURTHER AMEND by adding the following language as a new Section:

SECTION ____.

Item ____. It is the legislative intent to recognize additional reversions in fiscal year 2008-2009 according to the following schedule:

Legislature	\$	1,400,000
Fiscal Review Committee	\$	65,000
Attorney General and Reporter	\$	500,000
District Attorney Generals Conference	\$	400,000
Secretary of State	\$	957,000
District Public Defenders Conference	\$	190,000
Comptroller of the Treasury	\$	2,000,000
Court System	\$	500,000
Tennessee Regulatory Authority	\$	200,000

Item _____. From funds available in the statutory reserve fund created in Tennessee Code Annotated, Section 4-31-108, the commissioner of finance and administration, with the consent of the comptroller of the treasury, is authorized to transfer the sum of \$500,000 to the general fund.

Item _____. From funds available in the state loans program fund the commissioner of finance and administration, with the consent of the comptroller of the treasury, is authorized to transfer the sum of \$900,000 to the general fund.

Item _____. The comptroller of the treasury, with the approval of the commissioner of finance and administration, is hereby authorized to transfer any excess loan repayments attributable to community provider loans to the general fund.

Item _____. In addition to, and as a supplement to, any authority under existing law, the Tennessee local development authority is hereby authorized to recover direct and indirect cost of administering loans made under the revolving loan programs authorized by the provisions of Title 68, Chapter 221; provided, however, administrative charges shall not exceed fifteen basis points of the outstanding balance of any such loan annually. Any revenue collected pursuant to this provision shall be used by the authority to offset its administrative costs.

Item _____. There is hereby appropriated a sum sufficient not to exceed \$5,000 from funds available to the Tennessee housing development authority to the division of bond finance in the office of comptroller of the treasury to offset the division's expenses related to the programs and activities of the Tennessee housing development authority.

Item _____. It is the legislative intent that the budget proposed by the Governor for fiscal year 2009-2010 include sufficient funds to plan, develop and implement a statewide wireless interoperable communications system. Such a system could be accessed and used at the state and local levels to enable government to respond to any threat to the safety and security of Tennessee

citizens in more effective and expeditious manner as envisioned by Executive Order 49 signed the 29th day of August 2007. It is also the legislative intent that all available federal funds should be captured as expeditiously as possible to mitigate additional state revenue requirements for this project and the wireless interoperable communication system be given priority on all federal funds available for such purpose. It is further the legislative intent that the Commissioner of Finance and Administration, in consultation with the Comptroller of the Treasury, the Speaker of the Senate and the Speaker of the House of Representatives, is hereby authorized to expend any available fiscal year 2008-2009 funds included in this act to plan, develop and implement a statewide wireless interoperable communications system.

AND FURTHER AMEND by adding the following new items at the end of Section 10:

Item ____.

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Chapter 614 of the Public Acts of 2008, Chapter 699 of the Public Acts of 2008, Chapter 732 of the Public Acts of 2008, Chapter 758 of the Public Acts of 2008, Chapter 754 of the Public Acts of 2008, Chapter 745 of the Public Acts of 2008, Chapter 761 of the Public Acts of 2008, Chapter 759 of the Public Acts of 2008 and Chapter 810 of the Public Acts of 2008.

(b) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing House Joint Resolution 336, House Joint Resolution 424, House Joint Resolution 1065, House Joint Resolution 1066, House Joint Resolution 1076, House Joint Resolution 1246 and House Joint Resolution 1384, if such resolutions become law.

Item _____. From the funds appropriated to the Commission on Children and Youth, there is earmarked the sum of \$105,700 for the sole purpose of implementing Senate Bill

2582 / House Bill 2502, relative to creation of a Council on Children's Mental Health Care, if such bill becomes law.

Item ___. From the funds appropriated to the Department of Environment and Conservation, there is earmarked the sum of \$700 for the sole purpose of implementing Senate Joint Resolution 502, relative to naming Bon Aqua Woods State Natural Area in honor of John Noel, if such resolution becomes law.

Item ___. From the funds appropriated to the Department of Military, there is earmarked the sum of \$4,400 for the sole purpose of implementing House Joint Resolution 889, relative to naming the National Guard Armory in Livingston in honor of Sgt. Robert Wesley Tucker, if such resolution becomes law.

Item ___. From the funds appropriated to the Department of Military, there is earmarked a sum sufficient for the sole purpose of implementing House Joint Resolution 1239, relative to naming the National Guard Armory in Crockett County in honor of Lieutenant General John G. Castellaw, if such resolution becomes law.

Item ___. From the funds appropriated to the Department of Military, there is earmarked the sum of \$2,200 for the sole purpose of implementing Senate Bill 3499 / House Bill 2990, relative to naming the National Guard Armory in Winchester in honor of Otis W. Bauer, if such bill becomes law.

Item ___. From the funds appropriated to the department of education, there is earmarked the sum of \$17,290 for the sole purpose of reimbursing a local board of education for early childhood education expenses.

Item ___. From the funds appropriated to the Department of Safety, there is earmarked the sum of \$391,100 for the sole purpose of implementing Senate Bill 2720 / House Bill 3410, relative to verification of handgun permit applications, if such bill becomes law.

Item ___. From the funds appropriated to the Tennessee Board of Regents System, there is earmarked the sum of \$75,000 for the sole purpose of implementing

Senate Bill 3451 / House Bill 3123, relative to an education pilot project, if such bill becomes a law.

Item ___. From the funds appropriated to the Sex Offender Treatment Board, there is earmarked the sum of \$6,000 for the sole purpose of implementing Senate Bill 2822 / House Bill 2646, relative to sexual offenses committed against children, if such bill becomes law.

Item ___. From the appropriation in Section 1, Title III-3, Item 3, department of agriculture market development, the following amounts are earmarked:

(a) Non-recurring grants of \$250,000 to the Future Farmers of America (FFA) and \$250,000 to the 4-H Foundation; and

(b) A sum sufficient to the boll weevil eradication program to ensure that the state appropriated producer assistance shall not be less than the fiscal year 2007-2008 level of \$7.55 per acre.

Item ___. From revenues derived from regulatory fees paid pursuant to Tennessee Code Annotated §49-7-2014, there is hereby appropriated to the Tennessee Higher Education Commission the sum of \$430,000 for the addition of five (5) full-time positions and related expenses to implement recommendations of the Joint Legislative Study Commission on Proprietary Schools and Career Colleges, to improve the regulatory process through the audit of and enhanced data reporting by institutions subject to the provisions of Tennessee Code Annotated, Title 49, Chapter 7, Part 20.

Item ___. Notwithstanding any provision of this act to the contrary, if any funds are required in addition to the original contract bid amount for any major information system project contract negotiated by or bid through the department of finance and administration, whether due to change orders, amendments, modifications to services required or any other circumstance, the commissioner of finance and administration shall notify the chairs of the finance ways and means committees of the additional amounts required.

Item _____. From the funds appropriated to the Department of Transportation, there is earmarked the sum of \$13,200 for the sole purpose of implementing Senate Bill 2576 / House Bill 2495, relative to directional signs for airports, if such bill becomes a law.

Item _____. From the funds appropriated to the Department of Transportation, there is earmarked the sum of \$31,200 for the sole purpose of implementing Senate Bill 2716 / House Bill 2794, relative to high occupancy vehicle lanes, if such bill becomes a law.

Item _____. From growth exceeding budget estimates from TVA in lieu of tax payments to the state or other funds being available as determined by the commissioner of finance and administration, an amount not to exceed \$545,500 shall be appropriated to Four Lakes Regional Development Authority. Such appropriation shall be subject to certification by the commissioner of finance and administration that growth has exceeded budget estimates and upon the provisions of Senate Bill No. 3617 / House Bill No. 3354 becoming law. In addition, should Senate Bill No. 2763 / House Bill No. 2718 not become a law, the recurring sum of \$200,000 is hereby appropriated to fund Senate Bill No. 3617 / House Bill No. 3354. In addition, should Senate Bill No. 3528 / House Bill No. 3211 not become a law, the recurring sum of \$219,900 is hereby appropriated to fund Senate Bill No. 3617 / House Bill No. 3354.

Item _____. From the reserve for alcohol drug addiction treatment in the department of mental health, there is appropriated the sum of \$300,000 each to the Davidson County and Shelby County drug courts to be used for programmatic and operational expenses.

AND FURTHER AMEND by deleting Item 3 in Section 12 in its entirety and by substituting instead the following:

Item 3.

(a) If Senate Bill 4032 / House Bill 3925 becomes a law, there is appropriated to the department of finance and administration the sum of \$100,000 from the criminal injuries compensation fund for the purpose of making

a grant in such amount to support the "Tommy Burks Victim Assistance Academy".

(b) If Senate Bill 4032 / House Bill 3925 does not become a law, there is appropriated to the state treasurer the sum of \$100,000 from the criminal injuries compensation fund for the purpose of granting the same in accordance with the provisions of Tennessee Code Annotated, §29-13-116.

AND FURTHER AMEND by adding the following new items to the end of Section 12:

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 2400 / House Bill 2433, Senate Bill 3017 / House Bill 2865, Senate Bill 2815 / House Bill 2761, Senate Bill 4075 / House Bill 4053, Senate Bill 1566 / House Bill 1875, Senate Bill 2697 / House Bill 2804, Senate Bill 2399 / House Bill 2808, Senate Bill 784 / House Bill 1921, Senate Bill 4011 / House Bill 3903, Senate Bill 2554 / House Bill 3418, Senate Bill 3840 / House Bill 3386, Senate Bill 2718 / House Bill 2733, Senate Bill 3565 / House Bill 2615, Senate Bill 3280 / House Bill 3637, Senate Bill 1172 / House Bill 957, Senate Bill 3342 / House Bill 4141, Senate Bill 2626 / House Bill 2449, Senate Bill 1162 / House Bill 261, Senate Bill 2866 / House Bill 2743, Senate Bill 219 / House Bill 164, Senate Bill 1054 / House Bill 852, Senate Bill 3379 / House Bill 3200, Senate Bill 3689 / House Bill 3034, Senate Bill 3058 / House Bill 2788, Senate Bill 3528 / House Bill 3211, Senate Bill 4012 / House Bill 3936, Senate Bill 2620 / House Bill 2586, Senate Bill 3804 / House Bill 3511, Senate Bill 2763 / House Bill 2718, Senate Bill 771 / House Bill 71, Senate Bill 3126 / House Bill 3297, Senate Bill 2973 / House Bill 2765, Senate Joint Resolution 662, House Joint Resolution 909, House Resolution 390 and House Resolution 325, if such bills and resolutions become law. It is the legislative intent that if funding is earmarked for such implementation in such bills or resolutions that the funds appropriated in this item be reduced accordingly.

Item ___.

(a) The Commissioner of Finance and Administration shall transfer from the general fund to the transportation fund a sum sufficient equal to the appropriations in this item.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Transportation for the sole purpose of implementing Senate Bill 2803 / House Bill 2515, Senate Bill 2573 / House Bill 2560, Senate Bill 3472 / House Bill 2977, Senate Bill 2608 / House Bill 2486, Senate Bill 2788 / House Bill 2687, Senate Bill 2762 / House Bill 2722, Senate Bill 2574 / House Bill 2493, House Joint Resolution 1090 and House Joint Resolution 1399, if such bills and resolutions become law.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$57,600 for the sole purpose of implementing Senate Bill 2716 / House Bill 2794, relative to high occupancy vehicle lanes, if such bill becomes law.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed \$10,000 for the sole purpose of implementing House Joint Resolution 1335, relative to naming the Tennessee Client Services Building in Chattanooga in honor of James R. Mapp, if such resolution becomes law.

Item ___.

(a) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,500 to the Tennessee Historical Commission for the sole purpose of manufacturing and erecting a historical marker at the Cowan Railroad Museum in Franklin County.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$20,000 to the Tennessee Historical Commission for the sole purpose of the continuation of the historical interpretation pilot project for interpretation of properties listed on the National

Register of Historic Places in Henderson County, including trail development. It is the intent of the General Assembly that such funds be distributed to the same property funded in Section 12, Item 19, of Chapter 603 of the Public Acts of 2007.

(c) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,500 to the Tennessee historical commission for the purpose of manufacturing and erecting a historical marker commemorating the First Community Church in Nashville and its former pastor, the Reverend C. T. Vivian, for his contributions to the Nashville civil rights movement.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated a one-time non-recurring sum of \$3,200,000 to the Tennessee Student Assistance Corporation for the sole purpose of supplementing Tennessee student assistance awards.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,500,000 (non-recurring) to the Department of Labor and Workforce Development, division of adult education to be used for adult education instructional tutors and GED testing.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) for grants of \$250,000 each to the Future Farmers of America (FFA) and the 4-H Foundation.

Item ___. In addition to any other funds appropriated by this act, there is appropriated the sum of \$2,250,000 (non-recurring) for the Agriculture Resources Conservation Fund.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 (non-recurring) to the Tennessee Arts Commission for the purpose of establishing a performing arts facility grant pilot project. It is the legislative intent that the Tennessee Arts Commission make at least one grant

for construction, improvements or renovations of an existing performing arts facility in fiscal year 2008-2009.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of maintaining the employer matching contribution at a maximum level of fifty dollars (\$50.00) per month for each employee authorized to participate in the state employee 401(k) program pursuant to Tennessee Code Annotated § 8-25-303.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 to the University of Tennessee for the new Center for Public Policy, to be used for programs and operations.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the department of finance and administration for the sole purpose of making a grant in such amount to Mississippi River Corridor - Tennessee, to be used for programs and operational expenses.

Item ___. In addition to any other funds appropriated by this act, there is appropriated the sum of \$50,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Civil Rights Museum to be used for programs and operations.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Administrative Office of the Courts for the sole purpose of making a grant in such amount to establish a victim restitution pilot project for individuals defrauded in Knox County through the purchase of cemetery plots or other cemetery services. Such pilot program shall be administered by the Clerk and Master of the Chancery and Probate Court of Knox County.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Department of Education for the sole purpose of making a grant in such amount for one public high school security fencing

pilot program including, but not limited to, acquisition, installation and associated costs of security fencing.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to TennCare for the sole purpose of making a grant in such amount to the department of children's services for CPORT.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$862,900 to the department of children's services for the sole purpose of CPORT (Children's Program Outcome Review Team). The commissioner of finance and administration is authorized to make necessary adjustments to effectuate this item and shall not reduce authorized full-time positions of the commission by seventeen (17).

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$350,000 (non-recurring) to the Tennessee housing development agency for programs and operational expenses.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the department of education for the sole purpose of public television grants-in-aid.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 to the U.T. Health Science Center for genomic biology research.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$190,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to the Men's Health Awareness Network. Prior to April 1, 2009, the comptroller of the treasury shall audit the activities and expenditures of the network and shall file findings and recommendations with the finance, ways and means committees of the senate and the house of representatives.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$162,800 to the department of health for nutrition services education and public information.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$424,000 to the department of health for dental health clinical services.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$20,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to West Tennessee Family Solutions, to be used for defrayal of capital expenditures benefiting the Good Life Center day program for mentally retarded citizens.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$90,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to The Pink Palace Museum in Memphis, to be used for creating a museum curator program in partnership with the University of Memphis, U.T. Martin and the U.T. Science Center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$95,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Institute for Law and Equity in Memphis, to be used for programs and services addressing childhood maltreatment and pathways to delinquency.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Stax Museum in Memphis, to be used for acquisitions, operating expenses, and other improvements.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$136,300 to the department of health for the sole purpose of making a grant in such amount to St. Jude Hospital in Memphis, to defray, in

whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 to the department of finance and administration for the sole purpose of making a grant in such amount to Little River Watershed Association, to be used for programmatic and operational expenses.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 to the department of finance and administration for the sole purpose of making a grant in such amount to A Secret Safe Place for Newborns of Tennessee, Inc., to be used for programs, services and operational expenses.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$68,000 to the Board of Probation and Parole for the sole purpose of making a grant in such amount to Project Return, to be used to provide direct services to adult offenders and ex-offenders preparing for release or returning to the community.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the Tennessee Wars Commission for the sole purpose of battlefield preservation, battlefield monuments and markers, and battlefield educational materials.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Ned McWherter Center for Rural Development for low income students.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Department of Mental Health and

Developmental Disabilities for the sole purpose of making a grant in such amount to Wellness Center for AIM Center for the Mentally Ill, for programs and operational expenses.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the administrative office of the courts for the sole purpose of making grants to victim-offender mediation centers for stabilization and expansion of mediation services in the Upper Cumberland region.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Project Safe Neighborhood Initiative, Jackson, Tennessee, for programs and operational expenses.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Metropolitan/Davidson County Drug Court, to be used for operational expenses.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the department of human services for the sole purpose of making a grant in such amount to Memphis Food Bank, to be used for acquiring, handling, and transporting food to feed the hungry.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to Community Arts Development of Dickson County, Inc., for programs and operational expenses.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to In Full Motion, Inc., Nashville, for programs and operational expenses.

AND FURTHER AMEND by deleting the language "Commissioner of Finance and Administration" in the second sentence of Section 37 and by substituting instead the language "Commissioner of Finance and Administration or the Secretary of State".

AND FURTHER AMEND by deleting the language "Commissioner of Finance and Administration" in the third sentence of Section 37 and by substituting instead the language "Commissioner of Finance and Administration and the Secretary of State".

AND FURTHER AMEND by deleting the language "Commissioner of Finance and Administration." in the fourth sentence of Section 37 and by substituting instead the language "Commissioner of Finance and Administration or the Secretary of State, respectively, and expenditure and reporting requirements to the Secretary of State are adjusted accordingly to the fiscal year in which the funds are received by the grant recipient, notwithstanding any provision in the grant agreement to the contrary."

AND FURTHER AMEND by adding the following new items at the end of Section 41:

Item ___. In the fiscal year ending June 30, 2008, any unexpended funds from the non-recurring appropriation made in Section 12, Item 33, of Chapter 603 of the Public Acts of 2007, for an annual health summit of minority communities shall not revert to the general fund and are hereby reappropriated to the same entity for the same purpose in the fiscal year beginning July 1, 2008.

Item ___. In the fiscal year ending June 30, 2008, any unexpended funds from the non-recurring appropriation made in Section 12, Item 82, of Chapter 603 of the Public Acts of 2007, for implementing a mental health public awareness and education campaign shall not revert to the general fund and are hereby reappropriated to the same entity for the same purpose in the fiscal year beginning July 1, 2008.

Item ___. From the funds reverting from higher education to the general fund at June 30, 2008, the sum of \$500,000 is appropriated to the Tennessee Higher Education Commission, THEC Grants, for a grant to LeMoyne-Owen College; provided that this appropriation is contingent upon a certification to the Commissioner of Finance and Administration that the City of Memphis has granted \$1,000,000 and Shelby County has

granted \$500,000 to the college; provided further that the appropriation is contingent upon submission of a plan for use of the funds by the college and upon approval of the plan by the Tennessee Higher Education Commission, the Commissioner of Finance and Administration, and the Comptroller of the Treasury; and provided further that the college agrees to comply with the provisions of Section 55, as introduced, of this act.

AND FURTHER AMEND by deleting Item 8 of the first unnumbered Section under the heading "Improvement Reductions" above which provides:

Item 8. In Section 1, Title III-10, Tennessee Student Assistance Awards, the appropriation is increased \$1,000,000 from the \$200 million scholarship endowment fund created pursuant to Senate Bill 4197 / House Bill 4212.

AND FURTHER AMEND by deleting Item 2 of the first unnumbered Section under the heading "Additions to Budget" above which provides:

Item 2. To Higher Education, Lottery for Education Account, in Section 1, Title III-10, Item 5.1, the additional sum of \$1,800,000, relative to lottery scholarship retention at GPA 2.75, if Senate Bill 4211 / House Bill 4210 becomes law.

AND FURTHER AMEND by adding the following language as a new Section:

SECTION _____. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting improvement appropriations and positions that had been recommended in the 2008-2009 Budget Document, and the Commissioner of Finance and Administration shall adjust federal and other departmental revenue estimates accordingly:

Item _____. In Section 1, Title III-10, Item 1.3, Tennessee Student Assistance Awards, reduced by \$9,000,000 for such program.

Item _____. In Section 1, Title III-10, Item 5.1, Lottery for Education Account, reduced by \$5,300,000 for lottery scholarship retention.

AND FURTHER AMEND by deleting Item 1 in Section 52 in its entirety and by substituting instead the following:

Item 1. From the Lottery for Education Account, the After-School Programs Special Account, and other accounts and sub-accounts established pursuant to Tennessee Code Annotated, Title 4, Chapter 51, the Tennessee Education Lottery Implementation Law, sums sufficient hereby are appropriated for the higher education scholarship programs and other education programs authorized by that law and by Tennessee Code Annotated, Title 49, Chapter 4, Part 9, relative to higher education scholarships; Title 49, Chapter 6, Part 1, relative to early childhood education and pre-kindergarten programs; Title 49, Chapter 6, Part 7, relative to after-school educational programs; Senate Bill No. 611 / House Bill No. 653, relative to postsecondary financial assistance from net lottery proceeds, if such bill becomes law; Senate Bill No. 4211 / House Bill No. 4210, relative to lottery scholarship retention, if such bill becomes law; and Senate Bill No. 2809 / House Bill No. 2975, relative to lottery-funded after school programs, if such bill becomes law. The appropriations from these sources for pre-kindergarten and early childhood education programs pursuant to Title 49, Chapter 6, Part 1, shall not exceed \$25,000,000 and for after-school programs pursuant to Title 49, Chapter 6, Part 7, shall not exceed the balance available in the After-School Programs Special Account at June 30, 2008, and such balance hereby is appropriated for expenditure in the fiscal year beginning July 1, 2008; provided, that in both cases the appropriation is contingent upon the availability of funds in the proper account and upon the availability of excess funds from net lottery proceeds, after the funding of higher education scholarships. The availability of excess funds shall be determined by the Commissioner of Finance and Administration prior to the distribution of any excess funds. A copy of such determination shall be filed with the Chairs of the Select Committee on the Tennessee Education Lottery Corporation and the Office of Legislative Budget Analysis. From the Lottery for Education Account, a sum sufficient is appropriated to the Comptroller of the Treasury for a longitudinal pre-kindergarten study.

AND FURTHER AMEND by deleting Item 3 in Section 52 in its entirety and by substituting instead the following:

Item 3. From interest earnings attributable to the lottery for education account, there is appropriated the sum of \$6,800,000 to the Tennessee Student Assistance Corporation for the sole purpose of supplementing Tennessee student assistance awards.

AND FURTHER AMEND by adding the following new items at the end of Section 52:

Item ___. A sum sufficient, not to exceed the available balance in the LEAP Grant Fund, is appropriated from the fund for the purpose of awarding 3-year grants in accordance with the provisions of Senate Bill No. 2809 / House Bill No. 2975, if such bill becomes law.

Item ___. From the lottery for education account, the sum of \$90,000,000 shall be transferred to the Energy Efficient Schools Council Fund on July 1, 2008; provided that the transfer is contingent upon the availability of excess funds from net lottery proceeds, after the funding of higher education scholarships, and upon Senate Bill No. 4039 / House Bill No. 4039, relative to energy efficient capital outlay projects for K-12 educational facilities, becoming law. The availability of excess funds shall be determined by the Commissioner of Finance and Administration prior to the distribution of any excess funds in accordance with Item 1 of this Section. A sum sufficient, not to exceed the available balance in the Energy Efficient Schools Council Fund, is appropriated from the fund for the purpose of the Energy Efficient Schools Initiative. All grants or loans from the fund shall be approved by the state building commission prior to the award or issuance of a grant or loan by the energy efficient schools council.

AND FURTHER AMEND by adding the following language as a new Section:

SECTION ___.

Item 1. Notwithstanding any other provision of this act to the contrary, in addition to all other appropriations made by the provisions of this act, there is appropriated the sum of \$19,683,600 (non-recurring) for the purpose of funding a one-time, flat-rate salary bonus of \$400 for state employees and employees of public higher education. It is the legislative intent that such employees shall receive the salary bonus authorized by

this item on or about October 1, 2008; that such bonus shall be paid in addition to all other compensation increases appropriated by any other provision of this act; and that amounts paid under this item shall be included as earnable compensation for retirement purposes. This item does not apply to employees in positions which come under the provisions of a statutorily mandated pay plan if the employees who come under the provisions of a statutorily mandated plan are paid in accordance with the provisions of such statutory plan. This item does not apply to state employees and employees of public higher education with less than three (3) years of creditable state service as of October 1, 2008.

Item 2. Notwithstanding any provision of this act to the contrary, in addition to all other appropriations made by the provisions of this act, there is appropriated the sum of \$24,627,600 (non-recurring) for the purpose of funding a one-time, flat-rate bonus for all licensed personnel within local education agencies for fiscal year 2008-2009. It is the legislative intent that each person eligible for such bonus shall receive an equal share. The Commissioner of Education shall develop a plan for distribution of such amount to achieve this intent, with such plan subject to approval of the Commissioner of Finance and Administration. It is further the legislative intent that such bonus shall be paid on or about October 1, 2008; that such bonus shall be paid in addition to all other compensation increases appropriated by any other provision of this act; and that amounts paid under this item shall be included as earnable compensation for retirement purposes.

AND FURTHER AMEND by adding the following language as a new Section:

SECTION _____. The funds appropriated to the department of health for family planning programs for disbursement to any organization, public or private, engaged in providing family planning services in accordance with all federal requirements shall be disbursed with priority given to Tennessee public health departments.